

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

LOS ALAMOS NATIONAL BANK, N.A.,

Plaintiff,

vs.

No. CV 18-613 KG/JHR

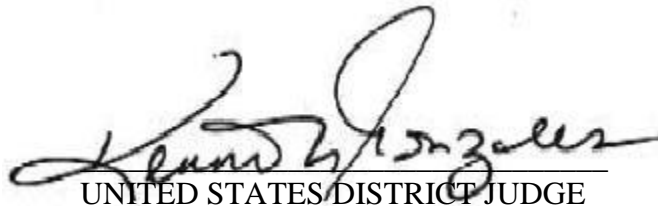
FIDELITY BANK,

Defendant.

ORDER GRANTING MOTION FOR LEAVE TO FILE UNTIMELY ANSWER

On May 17, 2019, Los Alamos National Bank, N.A. (LANB) moved for leave to file an untimely answer to Fidelity Bank's (Fidelity) First Amended Counterclaim and to strike certain portions of the Amended Counterclaim. (Doc. 69). In its response, filed June 3, 2019, Fidelity opposed the motion only to the extent that LANB sought to strike certain elements of Fidelity's First Amended Counterclaim. (Doc. 78). LANB agreed in its reply, filed June 7, 2019, withdrew its motion to strike portions of Fidelity's Amended Counterclaim. (Doc. 80). LANB's Answer to Fidelity's Amended Counterclaim was originally due within fourteen (14) days after notice of the Court's action on LANB's Motion to Dismiss (Doc. 30). Fed. R. Civ. P. 12(a)(4)(A).

Seeing no opposition from Fidelity, the Court grants LANB's Motion for Leave to File Answer. LANB will file its proposed Answer to Fidelity Bank's First Amended Counterclaim within five (5) calendar days from the date of entry of this Order.



UNITED STATES DISTRICT JUDGE